

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 CEQ-02 COA-02 COME-00 EB-11 EPA-04

IO-14 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11 AGR-20

DOE-00 FMC-04 INT-08 JUSE-00 OMB-01 OIC-04 TRSE-00

DRC-01 /211 W

----- 018457

R 232230Z MAY 74

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 193

INFO AMEMBASSY QUITO

AMEMBASSY SANTIAGO

AMCONSUL GUAYAQUIL

C O N F I D E N T I A L LIMA 4042

EO 11652: GDS

TAGS: EFIS, PBOR, PE

SUBJECT: LOS: PERUVIAN LOS POSITION

REF: STATE A-3753, LIMA 1568

1. DURING DISCUSSION OTHER MATTERS, AMBASSADOR ANTONIO BELAUNDE, MARITIME SOVEREIGNTY CHIEF AT FOREIGN MINISTRY, REVIEWED PERUVIAN POSITION ON SPECIFIC LOS AGENDA ITEMS, AS FOLLOWS:

A. TERRITORIAL SEA:

1) PERU ABSOLUTELY INSISTS ON 200 MILE SOVEREIGNTY, BUT IS PLEASED WITH MOVE BY USSR TO ACCEPT ECONOMIC ZONE CONCEPT WITHIN THE 200 MILES (SEE SEPTTEL). PERU HOPES THAT USG MIGHT ALSO BE WILLING TO ACCEPT A SIMILAR PATRIMONIAL CONCEPT
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WITHIN 200-MILE ZONE.

2) PERU POSITION IS TO REQUIRE NOTIFICATION OF INNOCENT PASSAGE OF WARSHIPS IN ITS CLAIMED TERRITORIAL SEA, BUT DOES NOT BELIEVE THIS ISSUE WILL, IN ITSELF, CONSTITUTE MAJOR PROBLEM FOR CONFERENCE.

B. COASTAL SEABEDS: DEFINITION OF MARGIN BEYOND 200 MILES OF NO GREAT CONSEQUENCE SINCE ITS OWN CONTINENTAL SHELF IS WELL WITHIN ITS CLAIMED 200 MILE LIMIT.

C. FISHERIES:

PERU INSISTS ON ABSOLUTE CONTROL OF MIGRATORY SPECIES, I.E. TUNA, WITHIN CLAIMED 200 MILES.

PERU HAS NOT DECIDED ON POSITION IN REGARD TO PREFERENTIAL FISHING BEYOND 200 MILES.

D. STRAITS: PERU FAVORS FREE NAVIGATION BUT DOES NOT PLACE GREAT EMPHASIS ON THIS ITEM SINCE IT HAS NO STRAITS OF ITS OWN.

3. IN REVEALING STATEMENT, BELAUNDE CONFIDED TO EMBASSY OFFICER THAT MINISTRY OF NAVY HAD SPONSORED AND COUNCIL OF MINISTERS HAD APPROVED SOME TIME AGO A SECRET UNPUBLISHED LAW WHICH ESTABLISHES MARITIME JURISDICTION OF PERU AT 200 MILES LATITUDINALLY FROM COAST (I.E. DUE WEST RATHER THAN PERPENDICULAR TO THE COAST), THUS SEA-SURFACE BOUNDARY OF PERU IS AT MANY POINTS LESS THAN 200 MILES FROM COAST. HOWEVER, PERUVIAN MINERALS LAW STATES THAT SEABED MINERAL RESOURCES BLONG TO PERU OUT TO 200 MILE LIMIT FROM EACH POINT ON PERUVIAN COAST AS DRAWN BY A COMPASS. EMBASSY HAD NOT BEEN AWARE OF THESE TWO "200 MILE ZONES" AND WOULD APPRECIATE ANY INFORMATION DEPARTMENT RECORDS MAY REVEAL

4. IN REGARD TO EVENTUAL AGREEMENT AT CARACAS, BELAUNDE SAID HE IS NOT OPTIMISTIC, BUT NOT BECAUSE OF DISAGREEMENT BETWEEN PATRIMONIALISTS AND TERRITORIALISTS, OR EVEN OVER STRAITS ISSUE. RATHER, HE SAID, LAND-LOCKED LDCS ARE PREPARED TO RAISE SERIOUS OBJECTIONS TO POSITIONS
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OF BOTH COASTAL LDCS AND DCS. HE DID NOT ELABORATE, BUT PRESUMABLY REFERRED TO LAND-LOCKED STATES' REQUESTS FOR SHARE OF SEABED RESOURCES OF NEIGHBORING COASTAL STATES.

5. COMMENT: BELAUNDE, ALTHOUGH NEW TO HIS JOB, APPEARS TO BE KNOWLEDGEABLE ABOUT VARIOUS ASPECTS OF LOS ISSUES, AND RELATIVELY FLEXIBLE ON MOST, WITH THE EXCEPTION OF THE 200 MILE LIMIT. IT IS INTERESTING TO NOTE THAT HE DOES

NOT THINK LOS WILL FLOUNDER ON TERRITORIAL SEA OR STRAITS
ISSUE, BUT RATHER ON ACCESS OF LAND-LOCKED STATES TO SEA
RESOURCES. IF THIS VIEW ACCURATELY REFLECTS GENERAL GOP
LOS NEGOTIATING POSITION, IT MAY WELL INDICATE THAT PERU
WOULD BE WILLING TO LIVE WITH GENERAL ECONOMIC ZONE CONCEPT
AS WEZOBAS IT IS NOT REQUIRED OFFICIALLY TO ABANDON ITS
CHERISHED 200 MILES.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TERRITORIAL WATERS, INNOCENT PASSAGE, LAW OF THE SEA, MEETING AGENDA, FOREIGN POLICY POSITION, TWO HUNDRED MILE LIMIT, MEETINGS, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974LIMA04042
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740129-1068
From: LIMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740524/aaaaauqp.tel
Line Count: 123
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE A-3753, LIMA 1568
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 12 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 SEP 2002 by WorrelSW>; APPROVED <03 MAR 2003 by GarlanWA>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: PERUVIAN LOS POSITION
TAGS: EFIS, PBOR, PE, US, (BELAUNDE, ANTONIO)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005